

REMARKS

The present filing is responsive to the Office Action.

Interview Summary

Applicant appreciates the courtesy of a telephone interview with the Examiner and his SPE on July 15, 2008. At the interview, the cited Ochi reference was discussed in reference to independent claim 1, based on the arguments documented below. Agreement has been reached that previously presented claim 1 defines over Ochi, and the case would be allowable over the prior art of record subject to further pre-allowance consideration.

Summary of the Response

No claim has been amended. Claims 1-12 remain pending in this application.

Reexamination and reconsideration of the present application as amended are respectfully requested.

Objection to Oath/Declaration

The Examiner objected to the inventor Declaration, for not specifically acknowledging the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56. While the Declaration did not specifically refer to “patentability”, it is nonetheless in acceptable form, in accordance with a Notice published by the Patent Office.

1327 OG 112 sets forth, in part:

"For pending applications, the Office is hereby *sua sponte* waiving the express language requirement of 37 CFR 1.63(b)(3), whereby oath or declaration was filed prior to June 1, 2008. The express language of CFF 1.63(b)(3) is waived only to the extent necessary such that an oath or declaration containing the "material to examination" or "in accordance with 1.56(a)" language, or both, will be accepted as acknowledging the applicant's duty to disclose information "material to patentability" as defined in 37 CFR 1.56." (Emphasis added.)

Accordingly, Applicant respectfully submits that the earlier filed Declaration met the requirements of Office rules.

Claim Rejections Under 35 USC 102

Claims 1-4 and 10-12 are rejected under 35 USC 102(e) as being anticipated by Ochi (US 2003/0107537). This rejection is respectfully traversed.

On the outset, Applicant notes that given the traversal of Ochi below, Applicant has not yet considered the possibility of swearing behind Ochi, but reserves the right to do so if it becomes necessary.

The present invention is directed to individually switching power supplied to display pixels of different colours in a row to individually control the duty cycle of pixels of different colors colour in the same row, so as to adjust the relative brightness of each colour in the image. A row of pixels includes pixels of different colors. Pixels of a particular color are controlled separately from pixels of other colors within the same row. Claim 1 requires: "... each row of display pixels (1) comprises different colour display pixels for producing different colour light outputs, wherein the display pixels of each colour in a row are associated with a respective and separate power line (26', 26", 26''), and wherein the power supply to each power line is

individually switchable (40, 45, 48) so as to control the duty cycle of the associated display pixels.” Ochi does not disclose such control of duty cycle for pixels of each colour.

Ochi is unrelated to and completely silent on the control of duty cycle of power supplied to the display pixels. Ochi instead relates to the control of the relative areas of the light emitting units 11R, 11G, and 11B, to render constant luminance to the different color light emitting units. Referring to Fig. 3 and [0021] in Ochi, “the areas of the light emitting units 11R, 11G, and 11B decrease in order of the red light emitting unit 11R, green light emitting unit 11G, and blue light emitting unit 11B. The area ratio is determined so that differences among the peak voltages of the red light emitting unit 11R, green light emitting unit 11G, and blue light emitting unit 11B decrease when the electroluminance display panel 10 is driven by a current. That is, the area ratio is set in a manner such that when the peak voltages are applied to the red light emitting unit 11R, green light emitting unit 11G, and blue light emitting unit 11B are same as shown in FIG. 6, light emission luminances of the red light emitting unit 11R, green light emitting unit 11G, and blue light emitting unit 11B are set to be almost constant. In the case of equal area, the peak voltage is decreased by increasing the area of the red light emitting unit 11R whose peak voltage is high and, on the contrary, the peak voltage is increased by decreasing the area of the blue light emitting unit 11B whose peak voltage is low.” A reasonable reading of Ochi would clearly support its disclosure being limited to the control of relative areas of the pixels of different colors (i.e., increasing or decreasing the areas of the pixels of different colors). The peak voltages that are achieved are as a result of the particular areas of the different colors, but not by modulation or duty cycle control of the pixels of different colors.

The Examiner referred to [0022] and Fig. 7 in Ochi in an attempt to find support of the claimed control of the duty cycle. Applicant respectfully disagrees. Claim 1 specifically

requires the following combination of structures: (a) each row of display pixels comprises different colour display pixels (i.e., pixels of various colors in a row); (b) the display pixels of each colour in a row are associated with a respective and separate power line (e.g., display pixels of a particular colour is associated with a power line that is separate from a power line for display pixels of another colour); and (c) the power supply to each power line is individually switchable so as to control the duty cycle of the associated display pixels (i.e., pixels of the same colour associated with a power line). Referring to Fig. 7 and [0022] in Ochi, each row of pixels of different colors (11R, 11G, and 11B) are connected commonly to a switch 24. Therefore, pixels of each color in a row are not associated with a respective and separate power line, as required by claim 1 (i.e., pixels of all colors are commonly connected to a switchable power line). With the structure shown in Fig. 7, Ochi is not capable of individually switching each power line to control the duty cycle of the associated display pixels of a single color in a row.

In Ochi, pixels of the same color are arranged in the same column, as shown in Fig. 7 in Ochi. The pixels of the same color (R, G, B) are commonly controlled by a switch (22R, 22G, and 22B) to a current source (22R, 22G, 22B). The switches (22R, 22G, 22B) in Ochi are switches for current switching to the respective columns of pixels. They are not switches for power lines for respective rows of pixels. Even if a column of pixels in Ochi can somehow be deemed to correspond to a “row” of pixels, such “row” does not include pixels of different colors, let alone having pixels of the different colors respectively associated with a separate and individual power line, as required by claim 1.

Given the absence of complete disclosure of all the recited elements in claim 1, Ochi does not anticipate claim 1, and all claims dependent therefrom.

Claim Rejections Under 35 USC 103

Claims 5-9 are rejected under 35 USC 103(a) as being unpatentable over Ochi in view of Nakamura (US 2003/0043132). This rejection is respectfully traversed.

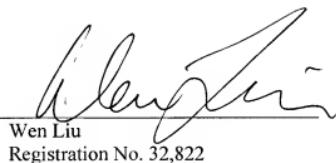
Given the traversal of the independent claim 1, dependent claims 5-9 are likewise patentable over Ochi. Nakamura does not make up for the deficiencies of Ochi. The combination of Ochi and Nakamura, even if somehow feasible and reasonable, would not obtain the claimed invention. There is no reason to make the combination in the first place.

CONCLUSION

In view of all the foregoing, Applicant submits that the claims pending in this application are patentable over the references of record and are in condition for allowance. Such action at an early date is earnestly solicited. **The Examiner is invited to call the undersigned representative to discuss any outstanding issues that may not have been adequately addressed in this response.**

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to Deposit Account No. 501288 referencing the attorney docket number of this application.

Respectfully submitted,



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